

May 17, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

ESTATE OF CINDY LOU HILL, by
and through its personal representative,
Joseph A. Grube, and CYNTHIA
METSKER, individually,

Plaintiffs,

v.

NAPHCARE, INC., an Alabama
corporation; HANNA GUBITZ,
individually; and SPOKANE COUNTY,
a political subdivision of the State of
Washington,

Defendants.

No. 2:20-CV-00410-MKD

ORDER RE MOTION FOR
BIFURCATION

Before the Court is the parties' Joint Status Report, ECF No. 104. The parties indicate that Defendants NaphCare, Inc. and Hanna Gubitz will ask the Court to bifurcate the trial in this matter between liability and damages and that Plaintiffs will oppose the request. The Court notes that the parties were directed in December 2020 to address the feasibility of bifurcation, ECF No. 11 at 3, and that the parties indicated they did not foresee a need to bifurcate. ECF No. 12 at 6.

1 The issue of bifurcation was not again raised until May 16, 2022 when the parties
2 filed the most recent Joint Status Report, ECF No. 104. Trial in this matter is set
3 for July 11, 2022.

4 **IT IS ORDERED:**

5 1. Any motion for bifurcation shall be filed by **May 24, 2022**. Any response to
6 the motion shall be filed by **May 31, 2022**. A reply, if any, shall be filed by **June**
7 **7, 2022**.

8 **IT IS SO ORDERED.** The District Court Executive is directed to file this
9 order, provide copies to counsel, and set case management deadlines consistent
10 with the dates set forth in this order.

11 DATED May 17, 2022.

12 s/Mary K. Dimke
13 MARY K. DIMKE
14 UNITED STATES DISTRICT JUDGE
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